



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

December 16, 1991

Mr. Richard D. Monroe  
Associate General Counsel  
Texas Department of Transportation  
125 East 11th Street  
Austin, Texas 78701-2483

OR91-645

Dear Mr. Monroe:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 14333.

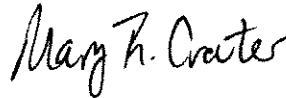
You have received a request for access to information relating to a Texas Department of Transportation ("department") construction project. Specifically, the requestor seeks the certified payrolls of Gilbert Texas Construction and any other contractors working on the "Drainage Tunnel" project, "certified fringe benefit payments" information, and information relating to the purpose of any miscellaneous employee payment deductions. You claim the requested information is excepted from required public disclosure by section 3(a)(4) of the Open Records Act.

We find that a previous informal open records ruling issued by this office resolves your request. Open Records Letter No. 597 (1991), a copy of which is enclosed, addressed the availability of certified payroll information. In addition, we conclude that the rationale in Open Records Letter No. 597 also applies to information regarding the certified fringe benefit payments. Accordingly, the availability of that information is governed by Open Records Letter No. 597 as well.

The requestor also seeks information regarding the "purpose" of any miscellaneous employee deductions. The Open Records Act does not require a governmental body to answer factual questions. *See* Open Records Decision Nos. 563 at 8, 555 (1990); 347 (1982). Accordingly, the department is not required to explain the purpose of any miscellaneous employee deductions.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-645.

Yours very truly,



Mary R. Crouter  
Assistant Attorney General  
Opinion Committee

MRC/GK/lcd

Enclosures: Open Records Letter No. 597

Ref.: ID# 14333

cc: Mr. Terry G. Bumpers, Director  
National Joint Heavy and Highway  
Construction Committee  
111 Massachusetts Avenue, NW  
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